

MEMORANDUM 2-T-04

DATE: January 22, 2004

TO: Planning and Zoning Board Members

FROM: Bruce D. Chatterton, Planning and Zoning Services Manager

VIA: Chris Barton, AICP, ASLA, Principal Planner

BY: ULDR Amendment Team:
Anthony Longo, Planner III, Inter-Governmental Affairs

SUBJECT: Case 2-T-04 Amendment to ULDR Section 47-31.3 Memberships, meetings and procedures.

Introduction:

The changes proposed in the attached draft ordinance (attached as **Exhibit 1**), are being proposed in response to the Broward County School Board's request that each municipality take appropriate measures to accommodate the addition of a School District staff member to each respective municipalities Local Planning Agency required under Article VII Local Planning Agency, Comprehensive Plan Amendments, Rezoning, and Development Approvals of the Interlocal Agreement for Public School Facility Planning.

Therefore, the City of Fort Lauderdale seeks to amend section 43.31.3 Membership, meetings and procedures requiring the addition a School District representative of the Broward County School Board as non-voting member to our Local Planning Agency to be in compliance with the Broward County School Board Inter-local Agreement for Public School Facility Planning (**Exhibit 2**). Changes are shown as "underline" for words to be added.

History:

The City's ordinance is in response to Senate Bill 1906 amending Florida growth management laws to require that local governments and school districts enter into inter-local agreements. The intent of Senate Bill 1906 is to seek voluntary agreement between school boards and local governments to help school boards keep pace with development.

Under this new legislation, inter-local agreements will establish procedures for discussions of such issues as how student populations will be projected, where new schools will be located, and the coordination of information on facilities, including closures and major renovations. The Inter-local agreements will also establish a process for determining the need and responsibility for off-site infrastructure improvements that affect schools. It should be noted that the new legislation does not provide for school concurrency.

To this extent required by Section 163.3174, Florida Statutes, the School Board shall appoint a School District staff member to be its representative on each respective municipalities local planning agency.

An agreement was reached between the all Broward cities and the County, meeting the legislative mandate deadline of May 1, 2003. Potential penalties for non-compliance on the City's part include the withholding of funding for roadways, water and sewer systems, CDBG funds, revenue sharing and other funding sources.

At its Tuesday, April 3, 2003 the Fort Lauderdale City Commission approved item M-29 Proposed Interlocal Agreement – School Board of Broward County – Public School Facility Planning.

Therefore, the proposed amendments, in summary, will:

1. To the extent required by Section 163.3174, Florida Statutes, add the representative appointed by the School Board to serve on the City of Fort Lauderdale's local planning agency
2. Allow the School Board representative will have the opportunity to attend Local Planning Agency meetings, which consider comprehensive plan amendments and re-zonings that would, if approved, increase residential density for the property that is the subject of the application.
3. When available, the School Board representative shall attend and participate in local planning agency meetings at which residential density could increase.
4. As described in section 7.3 of the agreement, the municipality will provide a copy of rezoning and comprehensive plan amendment applications that could increase residential density to the Superintendent.
5. Fort Lauderdale shall notify the Superintendent of the deadline, the time provided to the Superintendent for submitting such comments shall be no less that twenty-one (21) days and no greater that thirty (30) days from the date the information is provided to the Superintendent.
6. As described in section 7.3 of the agreement, the information provided shall include the name of the applicant, current and proposed use, existing permitted and proposed and type of units, acreage, general location map and section, and the anticipated date the local planning agency may consider this item if such a date is determined at the time the information is provided.
7. As described in section 7.6 of the agreement, the municipality shall notify the Superintendent of proposed land use applications, amendments to the comprehensive plan future land-use map, rezonings, developments of regional impact, and other residential or mixed-use development projects with a residential component pending before them that may affect student enrollment, enrollment projections, or school facilities.

Staff Recommendation: Recommend the proposed amendments to the City Commission.

Planning and Zoning Board

Acting as the Local Planning Agency:

The Board shall consider a motion finding that the proposed amendments are consistent with the City of Fort Lauderdale Comprehensive Plan, Future Land Use Element, as follows:

Objective 22: Continue to respond to identified problems/opportunities; develop incentive systems for quality development and redevelopment; prevent incompatible uses; and incorporate design criteria.

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Board Review Options:

1. Recommend the proposed amendment to the City Commission, as proposed,
2. Recommend the proposed amendment to the City Commission with revisions,
3. Recommend denial of the amendment to the City Commission.

PZ2-T-04/01-22-04/AL

Attachments